

MINUTES

Tennessee State Board of Examiners for Land Surveyors

The Tennessee State Board of Examiners for Land Surveyors met on March 4-6, 2003 in Room 212 of the Davy Crockett Tower, 500 James Robertson Parkway, 2nd Floor, Nashville, TN.

TUESDAY, MARCH 4, 2003 –

Those present for this meeting were: K. Max Billingsley, Board Chairman; Phillip R. Carter, Board Member; Dave Gilbert, Public Board Member; Donna Moulder, Administrative Director for the Board; and Carol Kennedy, Administrative Assistant for the Board.

Marshall H. (Pete) Ragan, Board Member, was not present.

The board meeting was called to order at 9:10 am by Chairman Billingsley.

Concerning a communication from the Nashville Planning Department, Phil Carter made a motion that the board write a letter explaining the requirements for surveyors signing plats, more particularly, preliminary plats, as called for in the regulations and state that this falls within the purview of our regulations and that the surveyor would need to sign these plats and stamp them since they will be recorded in the planning department as a note of record. Dave Gilbert seconded the motion. There being no further discussion, the motion carried unanimously.

Phil Carter amended his original motion by stating that this motion is to instruct the board chairman to answer the Nashville Planning Department's request. Dave Gilbert seconded the motion. The motion carried unanimously.

The board discussed the new law, which goes into effect July 1, 2003. Under the ten year work around rule, all experience has to be acceptable to the board, has to be progressive surveying experience and all experience has to be obtained under a licensed land surveyor. The board would also require, under the ten-year work around law, that the applicant either have some college courses or continuing education of his/her choice of at least 15 hours a year for the last ten years, for a total of 150 hours of formal training.

Max Billingsley expressed his desire to have a "one plat – one project" plan in place of the two-plat requirement.

The Board then began the review process of applications for the April 11-12, 2003 land surveyor's examination. There are 156 applications being submitted for review. Wall certificates for the new surveyors who passed the examination in October 2002 were also signed.

WEDNESDAY, MARCH 5, 2003 –

Those present were: K. Max Billingsley, Chairman; Phillip R. Carter, Board Member; Donna Moulder, Administrative Director for the Board; and Carol Kennedy, Administrative Assistant for the Board.

The application review process continued.

THURSDAY, MARCH 6, 2003 –

Those present were: K. Max Billingsley, Board Chairman; Phillip R. Carter, Board Member; Dave Gilbert, Public Board Member; Scott Ledford, Staff Attorney; Donna Moulder, Administrative Director for the Board; and Carol Kennedy, Administrative Assistant for the Board.

Chairman Billingsley called the meeting to order at 8:58 a.m.

Scott Ledford, Staff Attorney, presented the following complaints for the Board's review:

Complaint #20021163 –

Max Billingsley made a motion to dismiss the complaint based on the staff attorney's recommendation to dismiss the complaint and to send notification to the complainant that the basic complaint does not fall within the jurisdiction of the Board in that no violations of the surveying law was indicated in the complaint or the response. The motion was seconded by Phil Carter. Motion carried unanimously.

Complaint #200211776 –

Phil Carter made a motion to send this complaint to investigations. Max Billingsley seconded the motion. Motion carried unanimously.

Complaint #200206868 –

The staff attorney recommended that the respondent in this matter be brought in for an informal conference to answer for violations of TCA 62-18-101(b), TCA 62-18-119(b), TCA 62-18-120(a) and TCA 62-18-114(b). Phil Carter made a motion to accept the attorney's recommendation and bring the respondent in for an informal conference. The motion was seconded by Max Billingsley. Motion carried unanimously.

Complaint #200209230 –

The staff attorney made a recommendation to dismiss this complaint. Max Billingsley made a motion dismiss the complaint based on the staff attorney's recommendation. Dave Gilbert seconded the motion. Motion carried unanimously.

Complaint #200209177 –

Phil Carter made a motion to request that the respondent appear before the Board for an informal conference. Dave Gilbert seconded the motion. Motion carried unanimously.

Complaint #200103677 –

Phil Carter made a motion to request that the respondent appear before the Board for an informal conference. Dave Gilbert seconded the motion. Motion carried unanimously.

Complaint #200211253 –

Scott Ledford, Staff Attorney, requested that a Board member review this complaint. Upon the attorney's request, Max Billingsley reviewed the complaint. Phil Carter made a motion to dismiss the complaint with a letter of warning to the respondent regarding violations of the Standards of Practice. Dave Gilbert seconded the motion. Motion carried unanimously.

Phil Carter made a motion to hold ***Complaint #200105865*** in abeyance until the next meeting.

Complaint #200104410 –

The respondent paid the civil penalty of \$500.00. Phil Carter made a motion to close the complaint. Dave Gilbert seconded the motion. Motion carried unanimously.

Complaint #200211775 –

Scott Ledford gave a report to the Board on this complaint, but stated that he wanted to get more information on the matter before he made a formal presentation to the Board.

Complaint #200207892 –

The staff attorney recommended that the respondent, who is unlicensed, be brought in for an informal conference, along with his supervising surveyor, Jesse Walker, TLS #1486. The board voted at the January 2003 meeting to bring both the unlicensed and licensed surveyor in for an informal conference.

Robert N. Rogers, TLS #1559 – Mr. Rogers sent a written request to the board requesting that the Board consider recognizing Kentucky continuing education requirements as being acceptable to the Tennessee Board in regard to Item (a) in Rule 0820-5-.14.

Phil Carter made a motion that Tennessee accepts 15 hours of continuing education and if a surveyor from Kentucky comes here, he will have to submit 15 hours. The motion was seconded by Dave Gilbert. The motion carried unanimously. Max Billingsley stated that Kentucky licensees will have to meet the Tennessee standards.

The minutes of the previous meeting were reviewed. Phil Carter made a motion to accept the minutes as written. Dave Gilbert seconded the motion. The motion carried unanimously.

The Board reviewed an anonymous letter regarding a second office illegally opened in Morristown, TN by Jimmy Horton, TLS #1550. Phil Carter made a motion to send Mr. Horton a letter requesting a response to the matter of the office in Morristown, TN. Dave Gilbert seconded the motion. The motion carried unanimously.

There being no further business, Max Billingsley made a motion to adjourn. Phil Carter seconded the motion. The motion carried unanimously. The meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Donna Moulder
Administrative Director

K. Max Billingsley, Chairman

Phillip R. Carter

Marshall H. (Pete) Ragan

Dave B. Gilbert

Minutes – March 4-6, 2003 Land Surveyors Board Meeting

APPLICANTS APPROVED FOR THE APRIL 2003 EXAMINATION

Michael K. Adams
Rodney S. Barrett
Mark W. Bates
John D. Baumann
John A. Best
Noah P. Bobo, Jr.
Stanley Briggs
Brian J. Brown
Jeffrey B. Buck
Jason K. Carmack
Tori D. Cassidy
James J. Cross
Larry M. Culbertson
Buddy R. Curtis
Stanley K. Draper
Joseph F. Dodson
William J. Duke, Jr.
Charles R. Ellis
Derek E. Gernt
Charles Troy Halliburton
James L. Hill, Jr.
David T. Holland
David M. Holmes
Timothy J. Howell

James T. Tinsley
Jeffrey M. Weems
Randall R. White
Carlen J. Wiggins, Jr.
George W. Williams
Jonathan W. Willis
William S. Ball (PLSIT)
Joseph A. Brown (PLSIT)
Marshall J. Davidson (PLSIT)
Douglas E. Jones
Victor E. Morris, Jr. (PLSIT)
Brad T. Thomas (PLSIT)
Howard Glenn Blankenship, Jr.
Jerry B. Bradley
Scottie G. Brewer
William E. Crenshaw
Martin Figura
Timothy A. Henry
Timothy B. Mounts
Christopher S. Pugh
Wanis A. Rghebi
Anthony S. Richmond
James G. Terry
Bryan C. Zeigler

Todd D. Huffstetler
Robert P. Jordan, II
Brian W. Keith
Bruce C. Landes
Ryan S. Lynch
Michael R. Maness
George H. McMillan, Jr.
Daniel C. Moore
Larry Keith Moore
Terrence K. Murray
Stephen B. Murrell
David A. Neal
James L. Nichols
Jerran T. Owens
James C. Phillips
Ronald G. Rikard
Donald S. Roe, Jr.
Ollie E. Sexton, III
Barry O. Smith
Ira A. Smith
Piroschka Lynn Spencer

Todd E. Bishop
James D. Byington
Kevin S. Cagle
Thomas H. Chandler
Dwight Crutchfield
Matthew W. Curry
Mark H. Driver
Autrey E. Dye, Jr.
Clint T. Elliott
Thomas A. Franklin
John M. Gamble
Joseph B. Garrett
Michael S. Greene
Thomas K. Harvey
Daniel B. Hopson
James M. Hutcheson
Jeffrey A. Leopard
Bobbie J. Lowe
Brian A. McCain
Paul K. Moody, III
Phillip E. Roberts

APPLICANTS APPROVED FOR THE APRIL 2003 EXAMINATION

Tracy K. Seiber
Christopher B. Sexton
Kenneth C. Spencer
Ronald G. Taylor
Bryan R. Armstrong
Billy J. Berer
Gary S. Carter
Jeffrey P. Chandler
Charles D. Parker
John C. Sexton
Patricia M. Williams
Robert L. Barnett, II
Jeffery J. Whitson
Terry A. Baker
Michael E. Bartenfeld
Christopher N. Billingsley
Jeffery L. Caison
Robert L. Crabtree
Joe Alan Cummings
Richard L. Dayton
James D. Edwards
Wesley S. Floyd
Brian K. Foster
David K. Foster
Eric G. Gentry
Roger H. Harah

Knox T. Smith, III
William T. Smith
William H. Sommerville, III
Kenneth E. Sorrells
Randy L. Stephens
Roger W. Taylor
James C. Tidwell
Ricky A. Tosh
Stanley M. Ward
Allen J. Ward

Lucas T. Hartley
Brian E. Hicks
Charles T. Johnson, Jr.
James P. Lueking
Claude D Martin, Jr.
Russell L. Matthews
George F. McLaughlin, III
Michael J. Moore
James D. Mort
Barry P. Murphy
Larry A. New
Marvin J. Nunley
Andrew J. Pirtle
Quenton S. Pulliam
Steven Robinson
Frank L. Sellinger, II
Paxton R. Singleton
Aaron Smith
Clarence T. Smith

DISAPPROVED APPLICANTS FOR THE APRIL 2003 EXAMINATION

Steven J. Deaton
Doyle M. Elkins
Marc A. Hays
Matthew J. Hupp
William T. B. Meagher
James L. Nevans
Nicholas C. Phipps
Michael L. Poteet
David L. Slack
James E. Smith
Scotty L. Stanford

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